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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,517	11/29/2003	Anand Hariraj Udupa	TI-37240	8902

23494 7590 09/13/2005

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EXAMINER
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ZWEIZIG, JEFFERY SHAWN

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/724,517

Applicant(s)

UDUPA ET AL.

Examiner

Jeffrey S. Zweizig

Art Unit

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-117,119 and 121-161 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-117,119 and 121-161 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 November 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Election/Restrictions***

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Group I, claims 1-8, 39-44, 65-67, 113-117, 119, and 156-161 directed toward Fig. (5A-5C);

Group II, claims 1, 9-13, 35-38, 54-56, 71, 77 and 85-89 directed toward Fig. 15;

Group III, claims 1, 14-28, 77, 90-104, 131, 132, 143 and 144 directed toward the top of Fig. 6A;

Group IV, claims 1, 14, 29-31, 77, 90 and 105-107 directed toward the bottom of Fig. 6A;

Group V, claims 1, 32-34, 61-64, 77 and 108-112 directed toward Fig. 20;

Group VI, claims 48-50, 68-70, 121-123, 133-142 and 145-155 directed toward Fig. 6A;

Group VII, claims 57-60, directed toward Fig. 18A;

Group VIII, claims 45-47, 51-53, 73-84, 124-129, directed toward Fig. 23; and

Group IX, claim 130, directed toward Fig. 20-23.

Currently, no claims are generic.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species (Group I, VIII or IX) for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

***Response to Amendment and Remarks***

2. Based on Applicants' amendments and remarks, Examiner has added groups VIII and IX to the Election requirement. Applicants may elect Group I, VIII or IX. Based on Applicant's amendments to the independent claims in Group I, none of those claims are generic to all their dependent claims as outlined above.

The objections and rejections from the previous Office Action are withdrawn. Should Applicants continue their election of Group I, those claims appear to be allowable over the Prior Art of record.

New Fig. 5C and the related amendments to the Specification are acceptable.

Applicants have not pursued their traverse to the initial election requirement. Accordingly, the withdrawn claims should be explicitly canceled. The elected claims cannot be passed to issue until the non-elected claims have been explicitly canceled.

Applicants' are asked to appreciate the enormity of this application. The volume of claims and embodiments are confusing and hard to follow. The Election Requirement is meant to focus the invention into smaller more manageable chunks. The end result will be more search time, better examination and ultimately a collection of quality patents. Examiner appreciates Applicants' corporation in their response to the previous Office Action. Additional help is welcome. The better Examiner is able to

understand which claims go with which embodiments, the better the search and examination.

### ***Drawings***

3. Fig. 1, 2, 3 and 4A-4C should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Upon further consideration it would appear that Fig. 1, 2, 3 and 4A-4C are Prior Art. The specification appears to describe these figures in terms of existing state of the art with Fig. 5A-5C illustrating the inventive improvements thereto.

Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.


### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey S. Zweizig whose telephone number is (571) 272-1758. The examiner can normally be reached on Monday thru Wednesday 6:00 am to 6:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on (571) 272-1740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jeffrey S. Zweizig  
Primary Examiner  
Art Unit 2816

JZ

New Drawing

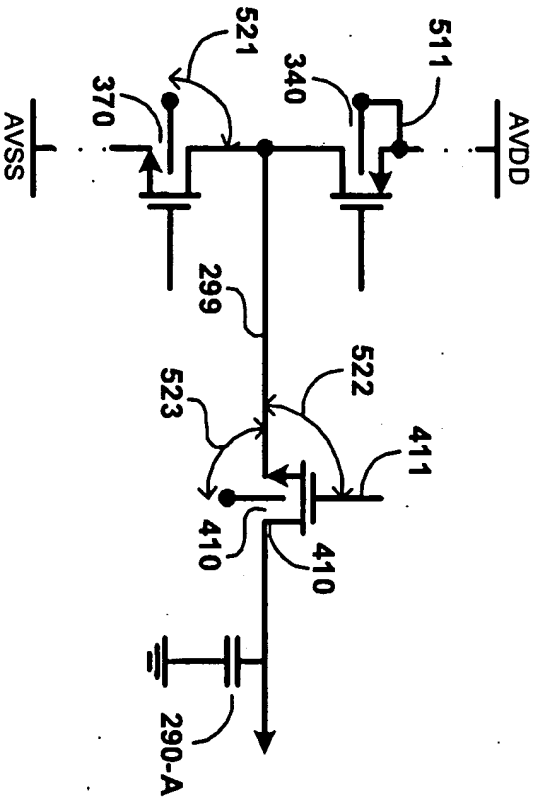


FIG. 5C

Approved  
JZ

9/9/05